Improvement Res. No. 1370-74

Vacation of 1st alley west of Edsall Ave. (Reynolds St.)

Resolution Adopted: Nov 12, 1974

Confirmed: Dec 5, 1974

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: Jan. 9, 1975

1370-74

B.O. 174-74

DECLARATORY RESOLUTION NO. 1370-1974

for the vacation of the first alley west of Edsall AVenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Company right of way.

ADOPTED: November 12, 1974

ADVERTISE NOTICE TO PROPERTY OWNERS: Nov. 15 & 22, 1974

NOTICES MAILED: Nov. 22, 1974

HEARING ON CONFIRMATION: Thurs., Dec. 5, 1974 at 3:30 p.m.

CONFIRMED: December 5, 1974

ASSESSMENT ROLL ORDERED: Dec. 5, 1974

ASSESSMENT ROLL APPROVED: December 16, 1974

HEARING ON CONFIRMATION OF A. R.: Thurs. Jan. 9, 1975 at 3:30 p.m.

NOTICE SERVED: December 27, 1974

ASSESSMENT ROLL CONFIRMED. Jan. 9, 1975

taken to D. of F.

COMPLETE

61-191-8 H.I.
11/12/74

DECLARATORY RESOLUTION No. 1370 19 74

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots No. 22 and 23, Hagemans Subdivision. Said subdivision is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and ~~other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric~~ pole lines and conduits, ~~telephone and telegraph pole lines and conduits.~~

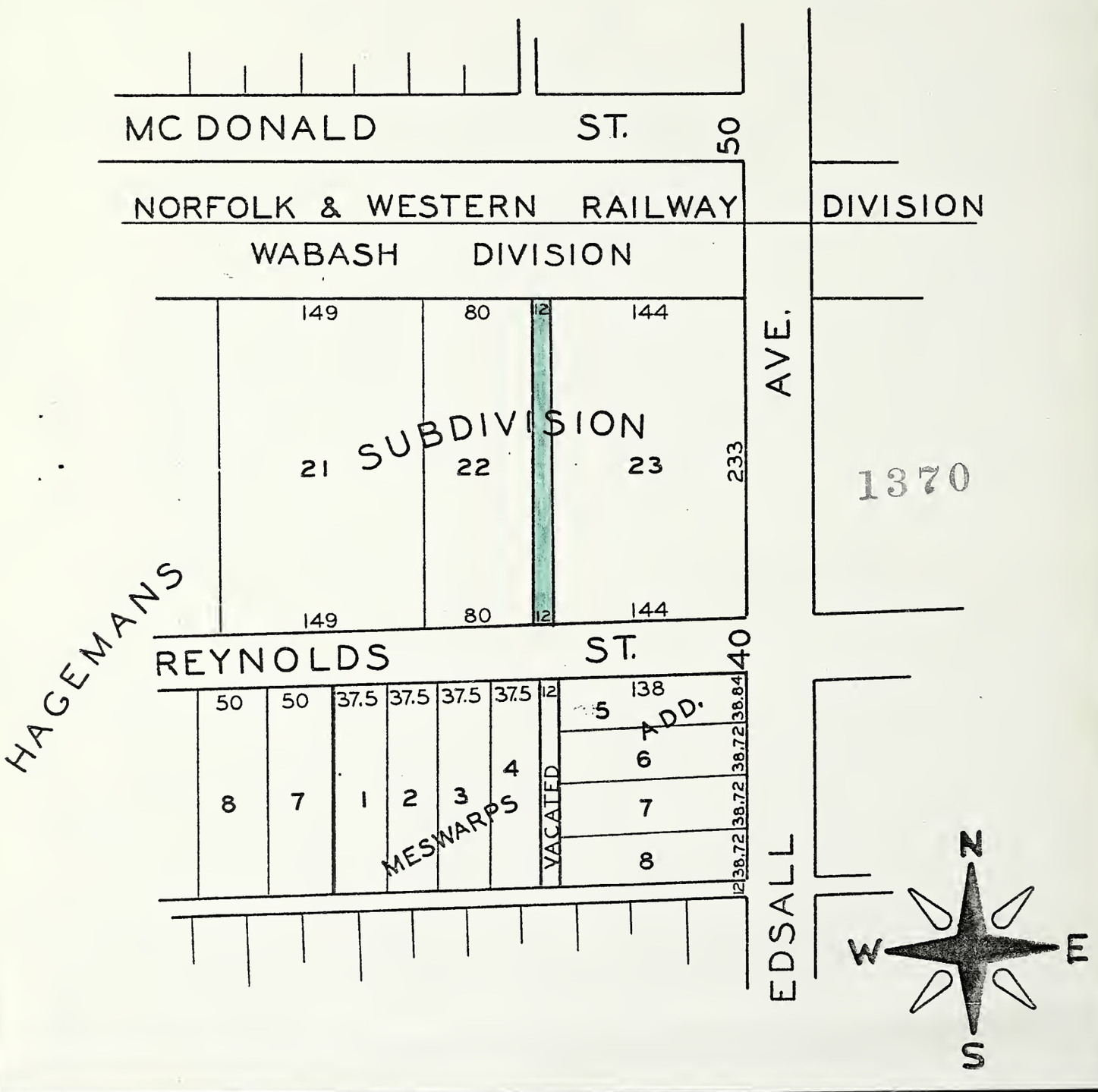
All Streets, lots and lands affected by the above described are situated in the northwest quarter Section Seven, Township 30 north, Range 13 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 12 DAY OF Nov. 19 74.

Attest: Edna L. Lewis
Secretary Board of Public Works.

Carl E. O'Neal
Glenn Miller
Board of Public Works.

ALLEY TO BE VACATED



PETITION FOR VACATION OF ALLEY

TO: City Plan Commission
City of Fort Wayne
425 South Calhoun Street
Fort Wayne, Indiana

Gentlemen:

We, the undersigned, owners of real estate in the City of Fort Wayne, Allen County, Indiana, described as follows:

Lots No. 22 and 23 in Hageman Subdivision to the City of Fort Wayne, Indiana,

respectfully petition and request that:

1. The Fort Wayne City Plan Commission hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first alley west of Edsall Avenue between Reynolds Street and Wabash Railroad in Hageman Subdivision

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. §§ 53-744 (Burns 1964 Repl. Ed.).

2. Upon determination that the vacation of said public alley hereinabove described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, the Fort Wayne City Plan Commission approves the vacation of the said public alley hereinabove described pursuant to the provisions of the abovementioned statute.

Respectfully submitted,

Carl H. Scheer and Betty Scheer

1370

THE CITY OF FORT WAYNE
board of public works

December 23, 1974

SUBJECT: HEARING

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday, January 9, 1975 at 3:30 P. M. concerning the following projects:

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Dec. Res. No. 1370-74	Vacation of the first alley west of Edsall Ave.
Dec. Res. 1371-74	Vacation of alley between Texas and McCormick Sts.
Dec. Res. No. 1372-74	Vacation of Texas (spl of Schele Ave. to the wpl of Fenker Ave.
Dec. Res. 1373-74	Vacation of Fenker Ave. from spl of Schele to npl of McCormick St.
Sdw. Res. No. 5674-1974	Sdw. & curb from scl of Jefferson to ncl of Madison Streets.

You are invited to attend this public hearing and hear the comments of your constituents regarding the projects. If you have any questions on the projects, please feel free to call.

Sincerely,

Jerry D. Boswell
Carl E. O'Neal
Glenn G. Conkling
BOARD OF PUBLIC WORKS

ep

cc: Mayor

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 174-1974

Date December 5, 1974 61-215-1

To STREET ENGINEERING DEPARTMENT

Subject DEC. RES. NO. 1370-1974 Edsall Avenue area

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

J. D. BOSWELL
C. E. O'NEAL
G. G. CONKLING
BOARD OF PUBLIC WORKS

ajf

Enc. P.O. List

RECEIVED
DEC 6 1974
CITY ENGINEERING DEPT.

Signed _____

Reply:

December 11, 1974

Assessment roll of benefits and damages completed and attached.

Kenneth N. Traylor
Street Engineer

lc
attachs. (P.O. List & Assess. Roll)

City Engineer

61-229-9 12/16/74

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

B.O. 174-1974 December 5, 1974 61-215-1

STREET ENGINEERING DEPARTMENT

DEC. RES. NO. 1370-1974 Edsall Avenue area

CONFIRMED.

Please prepare Assessment Roll of Benefits and Damages.

J. D. BOSWELL
C. E. O'NEAL
G. G. CONKLING
BOARD OF PUBLIC WORKS

ajf

Enc. P.O. List

THE CITY OF FORT WAYNE
board of public works

November 26, 1974

SUBJECT: PUBLIC HEARING

Dear Councilman Nuckols:

Please be advised that the Board has scheduled a public hearing Thursday, December 5, 1974 at 3:30 p.m. concerning the following project(s):

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:
SIDEWALK RESOLUTION 5647-74 - Berry and Wayne Streets (Contract "E")

HEARING ON CONFIRMATION
DECLARATORY RESOLUTION 1370-74 - Vacation of first alley west of Edsall Ave.

HEARING ON CONFIRMATION:
DECLARATORY RESOLUTION 1371-74 - Vacation of alley between Texas and McCormick Streets

HEARING ON CONFIRMATION:
DECLARATORY RESOLUTION 1372-74 - Vacation of Texas from spl. of Schele to Wpl of Fenker.

HEARING ON CONFIRMATION:
DECLARATORY RESOLUTION 1373-74 - Vacation of Fenker from spl. of Schele to npl of McCormick.

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell
Ronald L. Bonar
William G. Williams
BOARD OF PUBLIC WORKS

cc: Mayor

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 12th day of November, 1974, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1370-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

DECLARATORY RESOLUTION NO. 1371-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Texas Street and McCormick Street from the south property line of Schele Avenue to the west property line of Fenker Avenue.

DECLARATORY RESOLUTION NO. 1372-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Texas Street from the south property line of Schele Avenue to the west property line of Fenker Avenue.

DECLARATORY RESOLUTION NO. 1373-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Fenker Avenue from the south property line of Schele Avenue to the north property line of McCormick Street.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 5th day of December, 1974, as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell
Carl E. O'Neal
Glenn G. Conkling
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

PUBLISH: November 15 and 22, 1974

ep

N O T I C E T O P R O P E R T Y O W N E R

Office Board of Public Works
City Hall
Fort Wayne, Indiana.....November 12, 1974.....

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No.....1370-74.....
providing for the vacation of the first alley west of Edsall Avenue from the North property line of Reynolds Street to the South property line of the Norfolk & Western Railway Co. Right of Way.

The Board has fixed ...December 5, 1974 at 3:30 p.m.....
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 174-68

52-297-10

Date Nov. 26, 1968

To City Engineer

Subject Vacation - alley west of Edsall Ave.

Received a petition to Vacate the first alley west of Edsall Avenue between Reynolds Street and Wabash Railroad in Hagerman Subdivision.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach copy of petition

Signed _____

Reply:

October 29, 1974

Declaratory Resolution No. 1370-1974, property ownership list and drawing are completed and attached.

No easements were requested or retained.

BOARD OF PUBLIC WORKS
RECEIVED
OCT 30 1974

Kenneth N. Traylor
Kenneth N. Traylor
Street Engineer

Ron Bonar
City Engineer

lc
attachs.

61-191-8 11/2/74

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

City of Fort Wayne

ENGINEERING DEPARTMENT

CITY-COUNTY BUILDING
ONE MAIN STREET
Room 740

FORT WAYNE, INDIANA 46802

BOARD OF PUBLIC WORKS
RECEIVED
OCT 16 1974

NOTED
☑ J.D.B.
☑ C.E.O.
☑ G.C.
Date_____

October 15, 1974

Northern Indiana Public Service Company
Indiana & Michigan Electric Company
General Telephone Company of Indiana

We have received a petition to vacate the following:

The first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

Please check your easement requirements on the enclosed post card and return to us as soon as possible.

Yours truly,

Kenneth N. Traylor

Kenneth N. Traylor
Street Engineer

lc
attachs.

cc: Board of Public Works ✓
(Board Order No. 174-1968)

October 15, 1974

Richard Wanush
City Plan Director

Tom Manny
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacation:

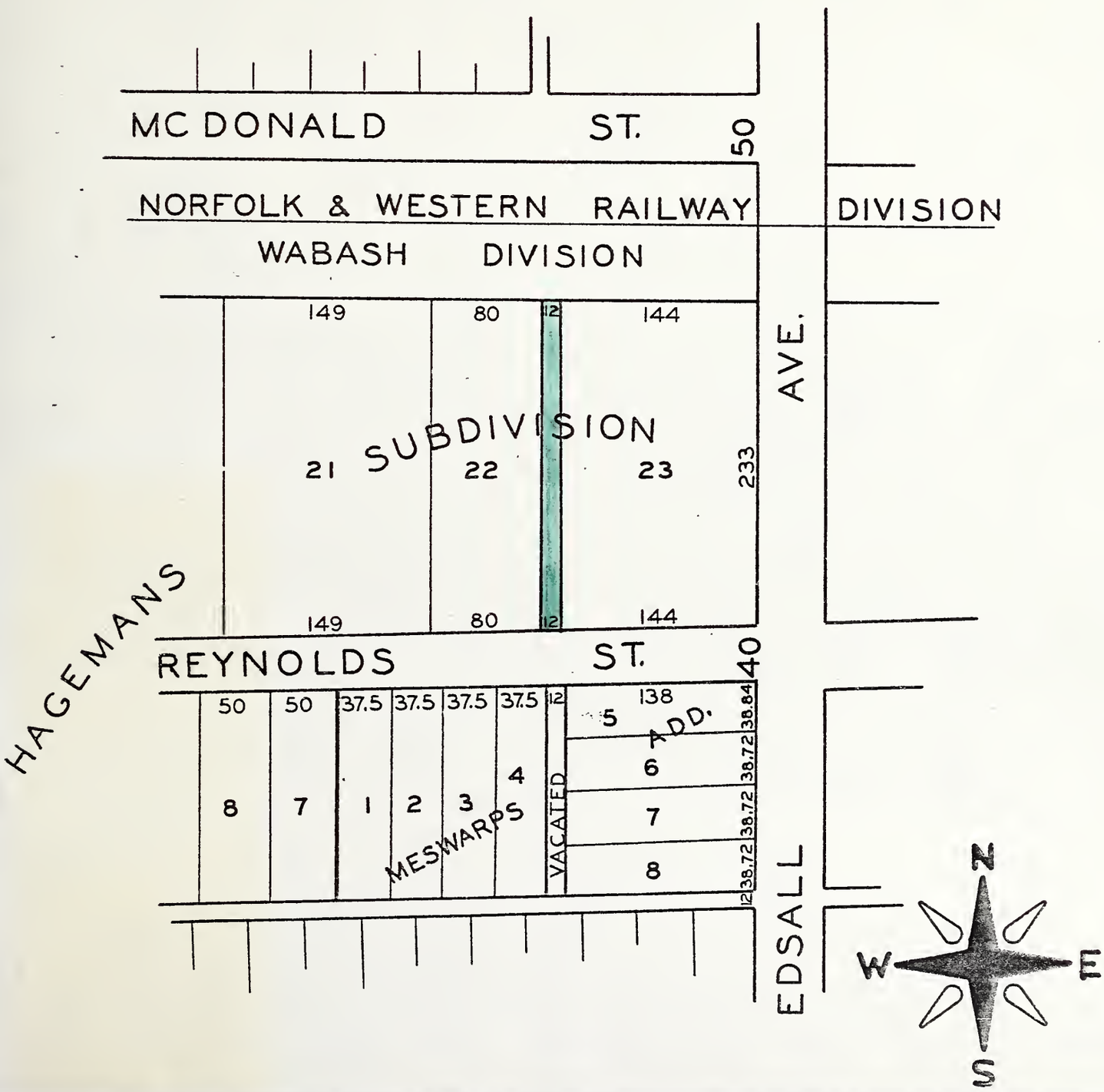
The first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

Kenneth N. Traylor
Street Engineer

lc
Attachs.

cc: Board of Public Works
(Board Order No. 174-1968)

ALLEY TO BE VACATED



Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Ft. Wayne Boarx of Public ~~Works~~ Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	50
Tail	number of lines	5
	Total number of lines in notice	56

COMPUTION OF CHARGES

56 lines, 1 columns wide equals 56 equivalent lines at .288¢ cents per line — $ 16.13

Additional charge for notices containing rule or tabular work (50 per cent of above amount) —

Charge for extra proofs of publication (50 cents for each proof in excess of two) —

TOTAL AMOUNT OF CLAIM — $ 16.13

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date November 25, 19 74 — Title CLERK

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 12th day of November, 1974, the said Board deeming it necessary to make certain improvements adopted the following:

Declaratory Resolution No. 1370-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that is is desired and deemed necessary to vacate the first alley west of Edsall Avenue from the north property line of Reynolds Street to the south property line of the Norfolk & Western Railway Co. right of way.

Declaratory Resolution No. 1371-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Texas Street and McCormick Street from the south property line of Fenker Avenue.

PY OF
NT HERE

Declaratory Resolution No. 1372-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Texas Street from the south property line of Schele Avenue to the west property line of Fenker Avenue.

Declaratory Resolution No. 1373-1974

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Fenker Avenue from the south property line of Schele Avenue to the north property line of McCormick Street.

All as shown by a plan of such proposed vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 5th day of December, 1974, as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL,
CARL E. O'NEAL
GLENN G. CONKLING
Board of Public Works

Attest: Edna I. Smith, Clerk
11—15-22

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

11/15-22/74

Arvilla DeWald

Subscribed and sworn to before me this 25th day of November 19 74

Elmer C. Koelmel
Notary Public

My commission expires October 25, 1975

Claim No..... Warrant No.....

IN FAVOR OF

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On Account of Appropriation for

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Appropriation No.....

Allowed....., 19....

In the sum of $.....

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I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

.....196.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

DECLARATORY

~~Improvement~~ **Resolution No. 1370-74 For** THE VACATION of the FIRST ALLEY WEST of EDSALL AVENUE from the NORTH PROPERTY LINE of REYNOLDS STREET to the SOUTH PROPERTY LINE of the NORFOLK & WESTERN RAILWAY Co. RIGHT of WAY.

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	SCHERER, DALE H & BETTY L	3120 7th 04	22			HAGEMANS SUBDIVISION.
2	" " " " "		23			" "
3	NORFOLK & WESTERN RAILWAY CO.	NELSON RD. 03	SPACE			KNOWN AS N&W RAILWAY RIGHT of WAY
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		TOTAL				

1370-74